IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 4TH DECEMBER 2007 / 13TH AGRAHAYANA 1929

WP(C).No. 35786 of 2007(I)

PETITIONER:

P.T.THOMAS, AGED 47, S/O.MR.THOMAS,
NOW RESIDING AT KANJIKUZHY-IDUKKI, KANJIKUZHY.

BY ADV. SRI.JOY THATTIL ITTOOP

RESPONDENTS:

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1. THE ADMINISTRATORS OF THE IDUKKI-
KANJIKUZHY PRIMARY MILK PRODUCER'S,
CO-OPERATIVE SOCIETY LIMITED NO.(1) 84 D APCOS
IDUKKI- KANJIKUZHY P.O., REPRESENTED BY ITS ONE
OF THE ADMINISTRATOR, SHRI.MATHEW AUGUSTINE.

2. THE STATE OF KERALA, THE SECRETARY
TO GOVERNMENT, BRANCH OFFICE, DIARY DEVELOPMENT
DEPARTMENT, GOVERNMENT OF KERALA, TRIVANDRUM.

3. THE DEPUTY DIRECTOR, DIARY DEVELOPMENT
IDUKKI, THODUPUZHA.

BY SR.GOVT.PLEADER SMT.ANU SIVARAMAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No.35786 of 2007-I

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Dated this the 4th day of December, 2007.

JUDGMENT

1.Heard the learned counsel for the petitioner and the learned senior Government Pleader.

2.Ext.P8 is only an order of suspension, pending initiation of disciplinary proceedings, by a Co-operative Society. It also appears from Ext.P8 that the employer had obtained the statement of the petitioner regarding the alleged transaction. The mere fact that the incident was about an year ago does not, by itself, denude the employer of the authority or jurisdiction to place the petitioner, an employee of a co-operative society under suspension. The power to suspend; the period for which an order of suspension could be kept in force and protection from continued

placement under suspension without the prior permission of the statutory authorities are matters which are regulated by the Kerala Co-operative Societies Rules. Under such circumstances, I do not find any ground to interfere with Ext.P8, particularly because, the plea of the petitioner that the allegations are groundless, is too premature an issue to be gone into. The writ petition is hence dismissed.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

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